

# 4th Paper Enjoined In Series

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The government yesterday stopped a fourth paper from printing articles based on a secret Pentagon history of the Vietnam war.

U. S. District Court Judge James H. Meredith issued a temporary restraining order stopping The St. Louis Post-Dispatch from publishing its second article based on the secret Pentagon documents. The order was issued just as the Post-Dispatch's Saturday edition was going to press.

The judge's ruling came while the U. S. Supreme Court was hearing arguments on whether The Washington Post and The New York Times should be barred from printing their stories based on the secret documents.

Although Judge Meredith's restraining order remains in effect until 10 a.m. July 5, when a hearing is scheduled, he said any prior Supreme Court decision "may have a bearing on this order."

Because of the Supreme Court hearing, The Post-Dispatch decided not to appeal Judge Meredith's order immediately.

"It's silly to appeal," said assistant managing editor David Lipman. "The issue is to get before the Supreme Court, and it's already there."

So far 18 newspapers, including the members of the Knight chain, have written articles they say are based on the secret Pentagon documents.

But the Justice Department has only moved against four papers—The Times, The Post, The Boston Globe and now The Post-Dispatch—to stop them from printing articles based on the documents.

Government officials maintain that the other papers either do not have the secret documents or have written articles in such a way so as not to violate national security.

"It would appear to us that other papers sought to get into the act and they have assigned their writers to write what they can, but we have not been able to find new disclosures of previously unpublished material in these other articles," U. S. Solicitor General Erwin N. Griswold told the Supreme Court yesterday.

"It has now become fashionable and proper, and you are not a good newspaper unless you have got some of this stuff," he continued.

## No New Disclosures

"They have put out articles with all kinds of window dressing, probably well written, but not containing new disclosures."

The Post-Dispatch published its first article Friday, quoting former Defense Secretary Robert S. McNamara as saying the pacification program in South Vietnam was "a bad disappointment."

McNamara was quoted as giving President Johnson a bleak assessment of the U. S. war effort privately—saying there is "no reasonable way to bring the war to an end soon," at a time when both he and the President were taking optimistic public posture.

The Post-Dispatch originally had not planned to publish an article based on the Pentagon papers yesterday because of the Saturday paper's small size and circulation. It would have resumed the stories today.

But when the Justice Department in Washington said Friday night that the Post-Dispatch had decided voluntarily to stop publishing the series, the paper changed its plan. It told U.S. Attorney Daniel Bartlett in St. Louis that it would print its second article Saturday.

"In the interest of our reputation and our responsibility to the public," said Lipman, "we felt we had to move up publication."

## Security Label Missing

In its article Friday, the Post-Dispatch said it had received Xeroxed parts of the Pentagon study which bore no security classification. But each page had a blank space along the bottom, indicating, the paper said, that a strip of

paper had been laid over the place where the security label is normally stamped.

In Boston, the Justice Department said it will seek a federal court order allowing it to inspect The Boston Globe's copy of the Pentagon report.

The Globe, which last week fought a move to force it to turn its documents over to the government, has them locked up in a bank vault. The Times and The Post have also refused to let the government inspect their documents, contending that such an inspection would jeopardize their sources.

Other papers that have printed stories based on the Pentagon papers are The Los Angeles Times, The Chicago Sun-Times and The Baltimore Sun.

## Criminal Charge Hinted

At yesterday's Supreme Court hearing, Griswold said

that newspapers could face criminal prosecution for publishing classified information.

But, he added, "I find it exceedingly difficult to think that any jury would convict or that an appellate court would affirm a conviction of a criminal offense for the publication of materials which this court has said could be published."

"I find it difficult to think that such a case should be prosecuted or could effectively be prosecuted."

In Rochester yesterday, Herbert G. Klein, the White House director of communications, said publication of the Pentagon study has triggered protests from Australia, Canada and Britain.

He said foreign powers will be reluctant to serve as intermediaries between the United States and foreign powers if they fear their roles will become public knowledge.